

STATE OF MICHIGAN
COURT OF APPEALS

MICHELLE THOMAS, on behalf of
CASSANDRA N. THOMAS, a minor,

UNPUBLISHED
April 17, 2008

Plaintiff-Appellee,

v

No. 276109
Monroe Circuit Court
LC No. 02-014645-NF

STATE FARM MUTUAL INSURANCE CO.,

Defendant/Cross-Defendant/Cross-
Plaintiff-Appellee,

and

FARM BUREAU GENERAL INSURANCE CO.,

Defendant/Cross-Plaintiff/Cross-
Defendant-Appellant.

Before: Servitto, P.J., and Hoekstra and Markey, JJ.

HOEKSTRA, J., (*concurring*).

I concur with the majority in affirming the trial court's holding that Cassandra Thomas was domiciled with her paternal grandmother, Patricia Uszynski, on the day she was injured in an automobile accident. I do so because our Supreme Court has held that every person is domiciled somewhere and that "very slight circumstances must often decide the question." *Beecher v Common Council of Detroit*, 114 Mich 228, 230; 72 NW2d 206 (1897). Because everyone is domiciled somewhere, finding a person without a domicile due to transitory circumstances is not an option, even though, in my opinion, the facts in this case strongly support such a holding. Consequently, on the required evidentiary fact question, I agree that the trial court did not clearly err in finding that Thomas was domiciled with Uszynski on the day of the accident. *Ligon v Detroit*, 276 Mich App 120, 124; 739 NW2d 900 (2007); *Goldstein v Progressive Cas Ins Co*, 218 Mich App 105, 111; 553 NW2d 353 (1996).

/s/ Joel P. Hoekstra